

After reviewing the record compiled to date and considering the parties' arguments, the Board finds and concludes that the May 15, 2003 Order should be affirmed.

On February 21, 2003, claimant fell and injured her right wrist after she had parked her car and was walking across the parking lot to enter the office building which contained respondent's offices. Respondent was only one of several tenants of the office building in question. But respondent reserved an area of the office building's parking lot, which required a parking permit, where claimant and her co-employees were required to park. The designated parking area was close to the building's entrance that claimant was required to use and which was reserved for only respondent's employees.

The Board concludes that respondent exercised sufficient control over the designated parking area to make that area part of respondent's premises.

The term "premises" as used in K.S.A. 44-508(f) is a place controlled by the employer. An employee assumes the duties of his or her employment when at a place where an employee may reasonably be during the time he or she is doing what a person so employed may reasonably do during or while the employment is in progress.¹

Accordingly, the premises exception to the going and coming rule applies and claimant's accident is regarded as arising out of and in the course of her employment with respondent.²

WHEREFORE, the Board affirms the May 15, 2003 Order entered by Judge Howard.

IT IS SO ORDERED.

Dated this ____ day of July 2003.

BOARD MEMBER

c: Michael R. Wallace, Attorney for Claimant
John David Jurcyk, Attorney for Respondent and its Insurance Carrier
Steven J. Howard, Administrative Law Judge
Paula S. Greathouse, Workers Compensation Director

¹ *Thompson v. Law Offices of Alan Joseph*, 256 Kan. 36, Syl. ¶ 1, 883 P.2d 768 (1994).

² See K.S.A. 2002 Supp. 44-508(f).